



LEGISLATIVE NEWSLETTER

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WEEK 5 OF THE 2021 GENERAL LEGISLATIVE SESSION

Balancing Emergency Power

With the onset of COVID-19, Utahns watched the Emergency Management Act in effect for an extended period for the first time in our state's history. It became clear the Emergency Management Act is not structured for long-term emergencies such as a pandemic. After listening to Utahns' concerns, the Senate and the House of Representatives began working with the governor's office to create checks on broad executive emergency powers.

S.B. 195 *Emergency Response Amendments*, limits extensive executive emergency powers during long-term emergencies without hindering rapid response. It does not disrupt the executive branch's or health department's ability to respond to short-term emergencies, such as natural disasters. In a joint statement released this week, Representative Val Peterson said, "The past year has been unlike any before and each branch of government did their best to address many unforeseen challenges. Moving forward, we must ensure that our actions maintain the appropriate separation of powers during both long-term and short-term emergencies." You can find the full statement [here](#).

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Representatives

Letter to President Biden

In a joint letter signed by Governor Cox, Lieutenant Governor Henderson, Speaker Wilson, President Adams, Attorney General Reyes, Senators Lee and Romney, and Congressmen Curtis, Moore, Owens, and Stewart, state leaders urged President Biden to reconsider his actions taken against Bears Ears and Grand Staircase-Escalante National Monuments. The full letter is attached.



February 17, 2021

The Honorable Joe Biden
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington D.C., 20500

President Biden,

We write to express our serious concern regarding the review of Utah's Grand Staircase-Escalante and Bears Ears National Monuments. We were disappointed there was no invitation for discussion prior to the announcement. We expect and hope for closer collaboration between our state and your administration on matters that directly impact Utah and our residents.

However, we recognize that presidents do have the authority to create or modify the boundaries of national monuments, even when there is not local consensus or support. A decision to expand both monuments back to their original size or larger would satisfy some, but would represent a missed opportunity to build bridges and create long term certainty. We urge you to use the review period to engage and negotiate with Utah elected officials, tribal governments, relevant communities, and other impacted stakeholders to create an enduring solution for both of these beautiful areas of our state.

In particular we hope you will offer support and sufficient time to negotiate a legislative solution, which would produce a broader and more permanent solution than anything that can be done through executive authority. Neither the original executive actions that created these monuments nor President Trump's reductions accomplished what we believe should be the most important goals for both the Biden Administration and the state of Utah regarding these lands: 1) to protect sensitive areas and cultural resources—including the use of robust law enforcement and educational resources to prevent irreparable damage—and 2) to provide long term certainty and predictability for managing these lands. Changing the size of the monuments every four or eight years isn't helpful for anyone who cares about the land, antiquities, and local communities.

In addition to providing long term certainty and genuine protections, legislation would allow Congress to exercise the power of the purse in appropriating funds for the management and protection of the lands in question. Involving the legislative branch allows us to find ways to help the struggling economies of these counties and to consider creative solutions that tribal governments and other organizations have requested.

We believe all options should be on the table to find a long-lasting comprehensive solution. This could include solutions to better manage the land for a wide variety of stakeholders, including increased tribal involvement in management decisions, local museums or interpretive sites, clarifying allowable uses

(including where mineral development is, or is not, appropriate), ending of the "ping pong" of the size of the monument, and more. These are all topics that should be on the table but can't be accomplished by the Antiquities Act alone.

Beyond these advantages, a legislative solution would offer important consensus building benefits. Unilateral monument decisions—whether creating, expanding, or contracting—have a long history of generating resentment and bitterness nationally and among communities in Utah. These decisions have previously led to significant reforms — reforms that, once enacted, have guaranteed the affected states a fair process with regard to monument designation and have led to better collaboration by all sides on land management. We support a change that would leave broad land designation authority in Utah to rest solely with Congress, which requires collaboration, but we recognize that this is not the current legal framework. The consensus required for successful negotiation would prove an effective way to lower the temperature and allow for good faith progress on other challenges.

This is our goal—to make long-lasting progress on managing our public lands. We stand ready to work with you, and we ask for your leadership and strong support to reach such solutions.

Sincerely,


Governor Spencer J. Cox
State of Utah


President J. Stuart Adams
Utah State Senate


Attorney General Sean Reyes
State of Utah


Representative Chris Stewart
United States House of Representatives


Senator Mitt Romney
United States Senate


Representative Blake D. Moore
United States House of Representatives


Lieutenant Governor Deidre M. Henderson
State of Utah


Speaker Brad Wilson
Utah House of Representative


Senator Mike Lee
United States Senate


Representative Jon Curtis
United States House of Representatives


Representative Burgess Owens
United States House of Representatives

Congressman John Curtis and Senator Mike Lee



Each session, we look forward to visiting with our congressional delegation. This week, Congressman John Curtis joined the House Majority Caucus and spoke of his role in Washington D.C. and how we can work in unison to better the lives of Utahns.

We also enjoyed a visit from Senator Mike Lee as he spoke to us about his policy priorities and the work that he is doing to help improve our state.

VACCINE UPDATE

Utahns 70 years and older are successfully receiving COVID-19 vaccines. With these efforts underway and an increase in vaccine doses, those 65 and older will now be offered vaccines. Find out more [here](#).



Policy Highlights

Economic Development

In an effort to boost economic growth, the House passed [HB 348](#) Economic Development Amendments. HB 348 reimagines Utah's economic development strategy to support local businesses, help Utah entrepreneurs, bring regional and national headquarters to Utah, and encourage job creation in rural parts of our state. To better understand how this bill is benefitting Utahns and Utah businesses, listen to last week's podcast found [here](#).



Updated Revenue Numbers

The Governor's Office, Utah State Senate and House of Representatives released updated revenue numbers for state fiscal years 2021 and 2022. The revenue estimates show the longstanding strength of Utah's economy, despite unprecedented financial challenges due to COVID-19.

Speaker Brad Wilson said, "Years of smart and responsible fiscal planning have allowed Utah to weather recent economic hardships better than many other states and positioned us for continued economic expansion. Now we are able to maximize the return on that investment. The Legislature has significantly increased funding for public education, is working toward tax relief for those who will benefit from it most, and is making strategic investments to enhance our economy and quality of life. The updated revenue figures are promising and make me optimistic that Utah will continue on a path of economic growth and prosperity for years to come."

Read the full press release [here](#).

EDUCATION AND MENTAL HEALTH COUNCIL

HB 288 Education and Mental Health Council passed the House this week. This bill creates a council made up of educators, mental and behavioral health experts, and other advocates. The council will provide action-oriented guidance to state leaders on how to meet the behavioral and mental health needs of kids and families in our state.

HOUSING AFFORDABILITY

HB 82, "Single-family Housing Modifications," sponsored by Rep. Ward passed the House this week. This bill is an important step in addressing Utah's housing affordability challenges as it helps increase housing availability and relieve pressure on prices by decreasing regulations. Watch this short video highlighting the struggles that many Utahns face as they try to find affordable housing in Utah. Find the video by clicking [here](#).



CHILD'S HEALTH INSURANCE

This week, The House Health and Human Services Committee unanimously passed HB 262. This bill seeks to expand the coverage of uninsured children throughout the state by creating an outreach program.

FRESHMAN HIGHLIGHT

REPRESENTATIVE JEFFERSON BURTON

Representative Burton represents District 66 comprising Spanish Fork, Salem, and Woodland Hills. He received a B.S. in Sociology from the University of New York and Master's degrees from the United States Army War College in Strategic Studies and the University of Phoenix in Education. He recently retired after serving in the U.S. Army and National Guard for 37 years, including serving as the Adjutant General of the UT National Guard for the last 7 years.



The motto that has guided Representative Burton's life is integrity and accountability. His top priorities as a representative are government accountability, accessibility, access to mental health resources, and the education of children. His family is number one to him. In his free time, he enjoys overcoming his fears, like jumping out of airplanes and taking the "polar plunge."

Honoring Allyson Gamble

The House of Representatives and Senate honored the late Allyson Gamble this week by passing SCR 5 Concurrent Resolution Honoring the Life of Allyson Gamble and SB 185 Capitol Meeting Room Designation. Allyson was a member of the Capitol Preservation Board for 19 years, 11 of those as the executive director and Senate Room 210 will be renamed in her honor.



Honoring Utah's Gold Star Soldiers

Our honor and respect to:

*LCPL Matthew Ryan Adams
U.S. Marine Corps*

*Ssg Daniel Andrew Hawkins
U.S. Army*

*SGT Douglas Lee Moxon
Utah National Guard*

*Ssg Brent Joseph Allred
Arizona National Guard*

*MSGT Peter Nelson
Utah Air National Guard*

*SFC Tyler John Hill
Utah National Guard*

*SPC Landon Marsh
Utah National Guard*

*SGM Frank Jason Hicks
Utah National Guard*

*1LT Kenneth Kage Allen
U.S. Air Force*

*SPC Skyler Genesis Oliver
U.S. Army*

*SGT Joshua Lawrence Deans
Utah National Guard*

*SPC Orson Rey Koyle
U.S. Army*

*SGT Bryan Cooper Mount
U.S. Army*

*MSG Christian Stanley Ulberg
Utah Air Guard*

*MAJ Michael Cal Gentry
U.S. Air Force*

Each year, the Legislature honors Utah's fallen soldiers and their families. This week, Rep. Wilcox presented a citation honoring the soldiers for their courage, bravery, and selflessness and led the House in a moment of silence. We are beyond grateful for the men and women who sacrifice their lives protecting our freedoms.

BILLS PASSED THIS WEEK

BILLS PASSED THIS WEEK (AS OF THURSDAY AT 5 PM)

HB 38 School Technology Amendments
H.B. 54 Insurance Revisions
H.B. 62 Post Certification Amendments
H.B. 72 Device Filter Amendments
H.B. 73 Drug Testing Amendments
H.B. 82 Single-family Housing Modifications
H.B. 93 Youth Suicide Prevention Programs Amendments
H.B. 101 Prohibited Persons Amendments
H.B. 115 Municipal Boundary Modifications
H.B. 124 Civics Education Amendments
H.B. 125 Intergenerational Poverty Solution
H.B. 192 Fertility Treatment Amendments
H.B. 194 Diabetes Prevention Program
H.B. 234 Division of Real Estate Amendments
H.B. 236 Waste Tire Recycling Amendments
H.B. 242 Ticket Reseller Amendments
H.B. 247 Transient Room Tax Amendments
H.B. 248 Mental Health Support Program for First Responders
H.B. 255 Protective Order Revisions
H.B. 259 Lead Exposure Education and Testing Amendments
H.B. 260 Criminal Justice Modifications
H.B. 264 Law Enforcement Weapons Use Amendments
H.B. 272 Special License Plate Amendments
H.B. 276 Notary Public Amendments
H.B. 277 Child Care Eligibility Amendments
H.B. 282 Right of Survivorship Amendments
H.B. 283 Community and Police Relations Commission
H.B. 288 Education and Mental Health Coordinating Council
H.B. 289 Victim Services Amendments
H.B. 291 Residential Picketing Prohibition
H.B. 293 Open Meeting Minutes Amendments
H.B. 295 Wildlife Modifications
H.B. 297 Colorado River Amendments
H.B. 302 Preserving Sports for Female Students

H.B. 305 Quality Growth Act
H.B. 312 State Residency Amendments
S.B. 16 Utah Retirement Systems Amendments
S.B. 30 Utah Commission on Aging Amendments
S.B. 75 Community Association Fund Amendments
S.B. 81 Medical Cannabis Electronic Verification System Deadline Amendments
S.B. 83 POLST Order Amendments
S.B. 88 Local Option Sales Tax Distribution Amendments
S.B. 90 Parental Defense Amendments
S.B. 97 Charitable Prescription Drug Recycling Program Amendments
S.B. 102 Peace Officer Training Qualifications Amendments
S.B. 109 Emergency Services Amendments
S.B. 185 Capitol Meeting Room Designation
H.C.R. 9 Concurrent Resolution Encouraging Development of a Statewide Anti-littering Campaign
H.C.R. 10 Concurrent Resolution Regarding an Interlocal Agreement Creating the Jordan River Commission
H.C.R. 11 Concurrent Resolution Recognizing Utah's Clerks and Election Workers for Their Performance Related to Utah's 2020 Election
H.J.R. 5 Joint Rules Resolution – Technical Corrections
H.J.R. 8 Joint Resolution to Protect Utah's Institutions of Higher Education from Chinese Communist Party Influence
H.C.R. 2 Concurrent Resolution on Effect of Federal Land Valuation Model